

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: RECOMBINANT ADENOVIRAL VECTORS FOR CELL SPECIFIC INFECTION AND GENOME INTEGRATION AND EXPRESSING CHIMERIC FIBER PROTEINS

The specification of which

a. ☒ is attached hereto

b. ☐ was filed on _____ as application serial no. _____ and was amended on _____ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. _____ filed _____ and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
PCT	PCT/US00/15442	01 June 2000	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

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U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/137,213	01 June 1999
60/161,097	22 October 1999

I hereby appoint the following attorney(s) or patent agent(s) to prosecute this application to transact all business in the Patent and Trademark Office connected herewith:

Sarah B. Adriano Reg. No. 34,470
SaraLynn Mandel Reg. No. 31,853

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mandel & Adriano to the contrary.

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2	Full Name Of Inventor	Family Name Lieber	First Given Name André	Second Given Name
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship Germany
1	Post Office Address	Post Office Address 7251 29 th Avenue	City Seattle	State & Zip Code/Country Washington 98115/USA
Signature of Inventor 201:			Date:	
2	Full Name Of Inventor	Family Name Shayakhmetov	First Given Name Dmitry	Second Given Name M.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship Russia
2	Post Office Address	Post Office Address 6500 25 th Avenue	City Seattle	State & Zip Code/Country Washington 98115/USA
Signature of Inventor 202:			Date:	
2	Full Name Of Inventor	Family Name Farrer	First Given Name Denise	Second Given Name R.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship US
3	Post Office Address	Post Office Address 1324 W. Emerson Street #305	City Seattle	State & Zip Code/Country Washington 98119/USA
Signature of Inventor 203: <i>Denise Farrer</i>			Date: 11-27-01	
2	Full Name Of Inventor	Family Name Papayannopoulou	First Given Name Thalia	Second Given Name
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship US
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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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MANDEL & ADRIANO

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 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Sarah B. Adriano Reg. No. 34,470
SaraLynn Mandel Reg. No. 31,853

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mandel & Adriano to the contrary.

Please direct all correspondence in this case to Mandel & Adriano at the address indicated below:

Mandel & Adriano
35 No. Arroyo Parkway, Suite 60
Pasadena, California 91103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Lieber	First Given Name André	Second Given Name
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship Germany
1	Post Office Address	Post Office Address 7251 29 th Avenue	City Seattle	State & Zip Code/Country Washington 98115/USA
Signature of Inventor 201:			Date:	
2	Full Name Of Inventor	Family Name Shayakhmetov	First Given Name Dmity	Second Given Name M.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship Russia
2	Post Office Address	Post Office Address 6500 25 th Avenue	City Seattle	State & Zip Code/Country Washington 98115/USA
Signature of Inventor 202:			Date: 11/26/01	
2	Full Name Of Inventor	Family Name Farrer	First Given Name Denise	Second Given Name R.
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship US
3	Post Office Address	Post Office Address 1324 W. Emerson Street	City Seattle	State & Zip Code/Country Washington 98119/USA
Signature of Inventor 203:			Date:	
2	Full Name Of Inventor	Family Name Papayannopoulou	First Given Name Thalia	Second Given Name
0	Residence & Citizenship	City Seattle	State or Foreign Country Washington	Country of Citizenship US
4	Post Office Address	Post Office Address 702 35 th Avenue	City Seattle	State & Zip Code/Country Washington 98122/USA
Signature of Inventor 204:			Date:	

na 1 of 2

IN THE UNITED STATES RECEIVING OFFICE

Applicants : University of Washington et al.
Int'l Appln. No. : PCT/US00/15442
Filed : June 1, 2000
For : RECOMBINANT ADENOVIRAL VECTORS OF CELL
SPECIFIC INFECTION AND GENOME INTEGRATION
AND EXPRESSING CHIMERIC FIBER PROTEINS

35 N. Arroyo Parkway
Pasadena, California 91103
November 20, 2001

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

COMMUNICATION UNDER PCT RULE 92bis

This communication is to respectfully request that George Stamatoyannopoulos be included as an applicant/inventor in the subject application. He was named in the priority application U.S. Serial No. 60/161,097 filed October 22, 1999 but was inadvertently omitted from the PCT Request, filed June 1, 2000. The relevant information for this applicant/inventor follows.

Applicant/Inventor: George Stamatoyannopoulos
70256 35th Avenue
Seattle, Washington 98122
United States of America
Citizenship: United States of America

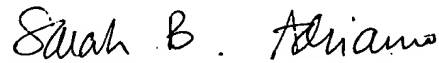
Applicant: University of Washington, et al.
Int'l Appln. No.: PCT/US00/15442
Filing date: June 1, 2000
Page: 2

In this regard, enclosed are (1) Replacement page 2 of the PCT Request Form denoting this; and (2) a copy of an executed PCT Power of Attorney in the name of George Stamatoyannopoulos.

No fee is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-0306.

Please direct any inquiry to the below-signed attorney.

Respectfully submitted,



Sarah B. Adriano
Reg. No. 34,470
SaraLynn Mandel
Reg. No. 31,853
Mandel & Adriano
35 No. Arroyo Parkway, Suite 60
Pasadena, California 91103
626/395-7801
Customer No. 26,941

Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS*If none of the following sub-boxes is used, this sheet is not to be included in the request.*

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country of residence if no State of residence is indicated below.)

SHAYAKHMETOV, Dmitry
6500 25th Avenue
Seattle, Washington 98115
United States of America

This person is :

- ☐ applicant only
- ☒ applicant and inventor
- ☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:
RU

State (i.e. country) of residence:
US

This person is applicant for the purpose of: ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country of residence if no State of residence is indicated below.)

FARRAR, Denise
1324 W. Emerson Street
Seattle, Washington 98119
United States of America

This person is :

- ☐ applicant only
- ☒ applicant and inventor
- ☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:
US

State (i.e. country) of residence:
US

This person is applicant for the purpose of: ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country of residence if no State of residence is indicated below.)

PAPAYANNOPOULOU, Thalia
702 35th Avenue
Seattle, Washington 98122
United States of America

This person is :

- ☐ applicant only
- ☒ applicant and inventor
- ☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:
US

State (i.e. country) of residence:
US

This person is applicant for the purpose of: ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country of residence if no State of residence is indicated below.)

STAMATOYANNOPOULOS, George
70256 35th Avenue
Seattle, Washington 98122
United States of America

This person is :

- ☐ applicant only
- ☒ applicant and inventor
- ☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purpose of: ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

☐ Further applicants and/or (further) inventors are indicated on a continuation sheet.

PCT**POWER OF ATTORNEY***(for an international application filed under the Patent Cooperation Treaty)***(PCT Rule 90.4)**

The undersigned applicant(s) (Names should be indicated as they appear in the request):

George Stamatoyannopoulos
70258 35th Avenue
Seattle, Washington 98122
United States of America

hereby appoints (appoint) the following person as:



agent



common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

MANDEL, SaraLynn; ADRIANO, Sarah B.
Mandel & Adriano
35 N. Arroyo Parkway, Suite 80
Pasadena, California 91103
United States of America

to represent the undersigned before:



all the competent International Authorities



the International Searching Authority only



the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: **RECOMBINANT ADENOVIRAL VECTORS EXPRESSING CHIMERIC
FIBER PROTEINS FOR CELL SPECIFIC INFECTION AND GENOME
INTEGRATION**

Applicant's or agent's file reference: 30429.2WO01

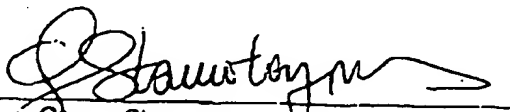
International application number (if already available): PCT/US00/15442

filed with the following Office United States Receiving Office

and to make or receive payments on behalf of the undersigned.

as receiving Office

Signature of the applicant(s) *(where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs. If such capacity is not obvious from reading the request or this power):*


George Stamatoyannopoulos

Date:

11/16/2001

09/980564

JUL 19 2007 NOV 2007

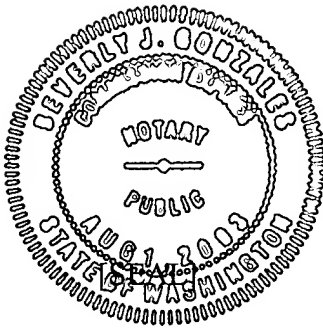
IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day
of November, 2001.

Denise R. Farrer
Denise R. Farrer

STATE OF Washington)
COUNTY OF King)

On 11-27-01, before me, Beverly Gonzales personally
appeared Denise R. Farrer, ☒ personally
known to me OR ☐ proved to me on the basis of
satisfactory evidence to be the person whose name
is subscribed to the within instrument and
acknowledged to me that he executed the same in
his authorized capacity, and that by his signature on
the instrument the person, or the entity upon behalf
of which the person acted, executed the instrument.

WITNESS my hand and official seal



Beverly J. Gonzales
Notary Public